

## NOTICE OF RULEMAKING HEARING

**NOTICE** is hereby given that the *Nebraska Equal Opportunity Commission* will hold a rulemaking hearing on the 24<sup>th</sup> day of March, 2008, beginning at 9:00 a.m. in the lower level "B" Conference Room (LLB) of the State Office Building.

The purpose of the hearing is to take testimony on the repeal of certain rules and adoption of new rules as set forth below. This is the second adoption process for the regulations, which were first heard July 11, 2006.

**To be Repealed:** 140 NAC 1 through 140 NAC 8, covering housing under former *Neb. Rev. Stat.* §§ 20-105 et seq., transferred or repealed. The subject matter of these rules is covered by the new Title 140 chapters or the new Rules of Practice, 144 NAC 1, both cited below.

**New Rules:** 140 NAC 1 through 140 NAC 4 under the **Fair Housing Act**, *Neb. Rev. Stat.* §§ 20-301 to 20-344. Chapter 1 contains definitions to apply to all new chapters of Title 140 and preserves validity. Chapter 2 covers complaints, amendments or responses, computing time for filings, service requirements, conciliation, investigations, administrative closure or dismissal, and reasonable cause determinations and resulting options. Chapter 3 sets forth policy and purposes and the affirmative duty of executive departments, agencies and others to further the Act. Chapter 4 covers records and review of records by aggrieved persons or respondents, and the limitations on review.

**New Rules: 144 NAC 1—Rules of Practice and Procedure for Contested Cases**

The model rules of the Attorney General for contested cases are being adopted to the extent practicable under sections 84-913 and 84-909.01 for cases under the **Fair Housing Act**, *Neb. Rev. Stat.* §§ 20-301 to 20-344, with necessary modifications to reflect the Act.

The rulemaking hearing is being conducted under and by virtue of *Neb. Rev. Stat.* § 84-907. Draft or working copies are available for public examination at the office of the Secretary of State or the Lincoln office of the Nebraska Equal Opportunity Commission, 301 Centennial Mall South – 5<sup>th</sup> Floor, by contacting Kathy Bogenreif at 402-471-4061.

All interested parties are invited to attend and testify at the hearing. Interested persons may also submit written comments at or prior to hearing to 402-471-4059 (fax) or by email to [neoc.rules&regs@neoc.ne.gov](mailto:neoc.rules&regs@neoc.ne.gov). The comments will be made part of the record of the hearing if received by 5:00 p.m. on the 24<sup>th</sup> day of March, 2008. Comments should be directed to: Anne Hobbs.

The description of the fiscal impact, including an estimated quantification, on state agencies, political subdivisions and persons being regulated may be inspected and obtained at the office of the Secretary of State or the Lincoln office of the Nebraska Equal Opportunity Commission, as indicated above.

If auxiliary aids or reasonable accommodations are needed to attend the hearing, please call Toni Higgins at 402- 471-2024, or, for persons with hearing impairments, please call 800-833-7352 at least 5 working days before the hearing date.